



**STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
PROFESSIONAL SERVICES MANAGEMENT UNIT
REQUEST FOR PROPOSALS**

The North Carolina Department of Transportation (hereafter referred to as the "Department") is soliciting written proposals from qualified consultants (contractors) to establish a contract to provide Right of Way Services for the department statewide. The department will establish a list comprised of several qualified consultants to perform right of way acquisition, appraisal, relocation, property management, program support, project management, and program management services on an as needed basis statewide. The consultant will be required to perform right of way services based on an assigned task authorization, for the completion of the task or project in accordance with G.S. 136-28.1 of the General Statutes of North Carolina, as amended, and in accordance with the requirements set forth in the *Uniform Appraisal Standards and General Legal Principles for Highway Right of Way*, the *North Carolina Department of Transportation's Right of Way Manual*, the *North Carolina Department of Transportation's Rules and Regulations for the Use of Right of Way Consultants*, the *Code of Federal Regulations*, and *Chapter 133 of the General Statutes of North Carolina from Section 133-5 through 133-18*, hereby incorporated by reference, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The consultant shall perform the services as set forth herein and as described within the specific task authorization and furnish and deliver to the Department appropriate reports and other documents relative to the completion of the task.

The primary and/or subconsultant firm(s) shall be Pre-qualified to perform services for the Right of Way Unit to perform the below referenced work. Work Codes required are:

- **00192 – Right of Way Appraisals**
- **00194 – Right of Way Negotiators**
- **00185 – Relocation Reviews**
- **00186 – Relocation Assistance**
- **00170 – Property Management**
- **00168 – Project Management**

Contractors Responsibilities

With respect to the payments, costs and fees associated with the acquisition of right of way in this contract or other services, the Department shall be responsible for only direct payments to

property owners for negotiated settlements, recording fees, any relocation benefits, and deposits and fees associated with the filing of condemnation. The Department shall assume responsibility for all costs associated with the litigation of condemned claims, including testimony by the appraiser(s).

- A Right of Way Manager or representative from the department's right of way management team will be available to provide technical and administrative guidance on right of way acquisition, relocation, and appraisal and program management issues applicable to the contract task. The assigned right of way manager will provide procedural information to make timely decisions on approving relocation benefits and the approval of administrative adjustment settlements on behalf of the Department over and above the authority granted to the Department Right of Way Consultant Project Managers.
- The Contractor must have an active Corporate NC Real Estate License to be considered for Acquisition assignments. All right of way agents assigned to negotiate parcels must have an active NC Real Estate License.
- The Contractor will submit a right of way project tracking report and right of way quality control plan to the Department as required. The Department standard forms and documents shall be used on all projects unless otherwise approved.
- The following shall be required:
 - The Contractor shall prepare, execute and record documents with the Register of Deeds conveying title to acquired properties to the Department.
 - The Contractor shall deliver all executed and recorded deeds and easements to the Department.
- It is understood and agreed by and between the parties hereto that all reports, surveys, studies, specifications, memoranda, estimates, etc., secured by and for the Contractor shall remain the property of the Department and shall have the right to use same for any public purpose without compensation to the Contractor.
 - The Contractor shall prepare appraisals in accordance with the Department's *Uniform Appraisal Standards and General Legal Principles for Highway Right of Way Acquisitions*.

The Contractor shall provide appraisal reviews complying with The Department's *Uniform Appraisal Standards and General Legal Principles for Highway Right of Way Acquisitions*. The reviewer shall determine that the appraisal meets the Department's guidelines and requirements, conforms to acceptable appraisal standards and techniques, does not include any non-compensable items or exclude any compensable items and that the value conclusions are reasonable and based on facts presented in the appraisal. The reviewer has the authority to approve, adjust, request additional data or corrections, not to recommend and also to request another appraisal. The reviewer has the authority to

approve appraisals not in excess of \$1,000,000.00. All appraisals showing compensation in excess of \$1,000,000.00 are referred to the Department's State Appraiser for approval, with the written recommendation of the reviewer. The Contractor's reviewer shall be on the Department's approved state certified reviewer appraiser list. The Contractor may request its state certified review appraiser to be added to the approved state certified reviewer appraiser list, subject to approval by the Department's State Appraiser. Any appraisal over \$1,000,000.00 must have 2 appraisals.

DEPARTMENT RESERVATIONS AND RESPONSIVENESS OF BIDS

GENERAL

The contractors will be selected on a statewide basis. The contractors selected will be awarded open end task assignments based upon a specific date or completion of the task. The contract duration will be three (3) years with a one year optional extension. The number of firms to be selected has not been determined.

The contractors selected must have high ethical and professional standing, and must have the financial ability to undertake the assignment. Selected contractors must have adequate accounting systems to identify costs chargeable to the projects and must assume liability for the work.

Contractors submitting letters of interest for this work will be evaluated on the following considerations, although the Department may consider other factors as it deems relevant:

- The contractors' right of way expertise and staff experience (including subcontractors) to perform the type of work required. 45%
- The contractors' ability to meet the time schedule established for the work based on the ability of proposed staff and current work load. 45%
- The proposed contractors' classifications as disadvantaged business enterprises. 10%
- **The contractors should provide with this submittal the expertise in each of the right of way disciplines also including specific experience in Rail Acquisition, Cost Estimating, Project Management, and Design-Build Projects.**

The Department maintains on file the qualifications and key personnel for each approved discipline, as well as any required samples of work. Each year on the anniversary date of the company, the firm shall renew their prequalified disciplines. If your firm has not renewed its application as required by your anniversary date or if your firm is not currently prequalified, please submit an application to the Department prior to submittal of your letter of interest. An application may be accessed at <https://apps03.dot.state.nc.us/vendor/prequal>. Having this data on file with the Department eliminates the need to resubmit this data with each letter of interest. The Department of Transportation, in accordance with Title VI of the Civil Rights Act of 1964, hereby notifies all contractors that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to

submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor). This prohibition covers those vendors and contractors who:

- (1) have a contract with a governmental agency; or
- (2) have performed under such a contract within the past year; or
- (3) anticipate bidding on such a contract in the future.

For additional information regarding the specific requirements and exemptions, vendors and contractors are encouraged to review Executive Order 24 and G.S. Sec. 133-32.

Executive Order 24 also encouraged and invited other State Agencies to implement the requirements and prohibitions of the Executive Order to their agencies. Vendors and contractors should contact other State Agencies to determine if those agencies have adopted Executive Order 24.

FORMAT FOR SUBMISSION OF A PROFESSIONAL SERVICES MANAGEMENT UNIT LETTER OF INTEREST

All letters of interest are limited to fifteen (15) pages exclusive of the cover sheet and resumes, and shall be typed on 8 1/2" x 11" sheets, single spaced, one sided. **ONLY ELECTRONIC LETTERS OF INTEREST WILL BE ACCEPTED.**

Letters of Interest should be submitted in .pdf format using software such as Adobe, CutePDF, PDF Writer, Docudesk, deskPDF, etc.

One copy of the Letter of Interest should be sent through NCDOT's FTS system **as a .pdf file:** psmu-411@ncdot.gov . The FTS system will send you an electronic receipt when your LOI is downloaded to PSMU's server. **Paper copies are not required.** The subject line should contain the PEF's Name, and "LOI for 2013 Right of Way Acquisition Services LSA".

If an interested contractor does not have an FTS account they should send a request through e-mail to psmu-411@ncdot.gov . A response will be sent via the FTS system that will provide a login username, password, and login procedures.

Section I - Cover/Introductory Letter

The introductory letter should be addressed to Mr. Scott D. Blevins, P.E., Manager of the Professional Services Management Unit. The cover letter (sheet) and staff resumes are excluded from the 15 page maximum request. Said letter is limited to two (2) pages and should contain the following elements of information:

- Expression of interest in the work;
- Statement of qualification;
- Date of most recent qualification;
- Statement regarding possible conflict of interest for the work; and
- Summation of information contained in the letter of interest . **including an email address and telephone number for the firm's contact person**

Section II - Evaluation Factors

This section is limited to **seven (7)** pages and should contain information regarding evaluation and other factors listed in the advertisement such as:

- Identify project personnel qualifications and experience as related to this work;
- Unique qualifications of key team members;
- Identify projects and location of similar work performed within last seven (7) years;
- Understanding of Contract requirements;
- Any innovative approaches utilized on previous or existing contracts
- Experience related to contract elements.

Note: Should the consultant find it necessary to replace a member of the team Or the project team encounters personnel changes, or any other significant changes dealing with the company, NCDOT must be notified immediately. The consultant may add staff as deemed appropriate with the approval of the NCDOT project or program manager.

Section III - Supportive Information

This section is limited to **six (6)** pages and should contain the following information:

- Capacity Chart/Graph (available work force);
- Organizational chart indicating personnel to be assigned by discipline;

Advertised April 15, 2013

- Names, classifications, and location of the consultants employees and resources to be assigned to the advertised work; and
- Other information including resumes.

APPENDICES-

CONSULTANT CERTIFICATION Form RS-2

Completed Form RS-2 forms SHALL be submitted with the firm's letter of interest. This section is limited to the number of pages required to provide the requested information.

Submit Form RS-2 forms for the following:

- Prime Consultant firm (Prime Consultant Form RS-2 Rev 1/14/08), and;
- ANY/ALL subconsultant firms (Subconsultant Form RS-2 Rev 1/15/08) to be or anticipated to be utilized by your firm.

Complete and sign each Form RS-2 (instructions are listed on the form).

In the event the firm has no subconsultant, it is required that this be indicated on the Subconsultant Form RS-2 by entering the word "None" or the number "ZERO" and signing the form.

The required forms are available at: <https://apps.dot.state.nc.us/quickfind/forms/Default.aspx>.

Right of Way Contractors are invited to have letters of interest for Right of Way Acquisition Services **FTS-ed** to the Professional Services Management Unit by **12:00 p.m. on May 7, 2013**. **Letters of interest received after this deadline will not be considered.**

Firms submitting letters of interest are encouraged to carefully check them for conformance to the requirements stated above. If letters of interest do not meet ALL of these requirements or if they are sent by any other means other than NCDOT's FTS system, or to any address other than psmu-411@ncdot.gov they will be disqualified. No exception will be granted.

The e-mail address is:

psmu-411@ncdot.gov

Any questions concerning the advertisement or the scope of work should be directed to Scott Blevins, PE, at sblevins@ncdot.gov or by telephone at 919-707-7132.

Advertised April 15, 2013

If you feel information provided is inadequate to submit a letter of interest, please contact Mr. Blevins.

The firm(s) selected will be notified by **June 6, 2013**. Notification will not be sent to firms not selected.

The firm(s) selected will be listed on the Internet at <https://connect.ncdot.gov/letting/Pages/Private-Engineering-Firm-Advertisements-.aspx> by **June 7, 2013**